



JAN

PATENT
ATTY. DOCKET NO.: 110938-00165

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Mark R. EASTER

Group Art Unit: 2831

Serial No.: 10/635,581

Examiner: Chaun Nguyen

Filed: August 7, 2003

Confirmation No. 8314

For: SELF-HEALING CABLES

PRELIMINARY AMENDMENT

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Date: January 21, 2005

Sir:

Prior to initial examination and in response to a Notice of Non-Complaint
Amendment dated December 21, 2004 (copy attached), please amend the above-identified
application as follows:

Amendments to the Specification begin on page 2 of this paper.

Remarks begin on page 3 of this paper.



O I P E 5017
JAN 21 2005

UNITED STATES PATENT AND TRADEMARK OFFICE

MCG/Bd.

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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DEC 27 2004

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/635,581	08/07/2003	Mark R. Esser	110938-00165	8314
27557	7590	12/21/2004		
BLANK ROME LLP 600 NEW HAMPSHIRE AVENUE, N.W. WASHINGTON, DC 20037			RECEIVED COUNSELORS AT LAW EXAMINER	NGUYEN, CHAU N
			ART UNIT	PAPER NUMBER
			2831	

DATE MAILED: 12/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

DOCKETED
110938-00165
DEC 29 2004

Re Amdt due
1/21/05

No Extension
Available!



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Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 8-7-03 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required. **Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted.** 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

1. Amendments to the specification:
 A. Amended paragraph(s) do not include markings.
 B. New paragraph(s) should not be underlined.
 C. Other The continuing data has to be filed as a preamdt on a separate paper.

2. Abstract:
 A. Not presented on a separate sheet. 37 CFR 1.72.
 B. Other _____

3. Amendments to the drawings: _____

4. Amendments to the claims:
 A. A complete listing of all of the claims is not present.
 B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following 7 status identifiers: (Original), (Currently amended), (Canceled), (Withdrawn), (Previously presented), (New) and (Not entered).
 D. The claims of this amendment paper have not been presented in ascending numerical order.
 E. Other: _____

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preonotice/officeflyer.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given ONE MONTH from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this **ONE MONTH** time limit is not extendable.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION (including a submission for an RCE)**, and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a TIME PERIOD of ONE MONTH from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. **The period for response to a final rejection continues to run from the date set in the final rejection**, and is not affected by the non-compliant status of the amendment.

Peggy Yerborough
Legal Instruments Examiner (LIE)

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